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Testimony on Assembly Bill 548

Thank you, Chairman Van Roy, and the rest of the Assembly Committee on Homeland Security and State Affairs for giving me the opportunity to testify in favor of Assembly Bill 548.

Current law sets standards for the publication of legal notices, including the type face, standard line length, and a minimum and maximum fee that the newspaper may charge for the printing of these notices. If a newspaper were to use an alternative type face, they would need to apply for approval from the Department of Administration (DOA). DOA also verifies newspaper certification and adjusted rate calculation for publishing legal notices every two years.

Under the bill, all legal notices would be published in Arial font and a standard line rate applies for all publications. Because we are establishing a uniform type face and point size, the bill eliminates the minimum and maximum rates. The bill also requires that the standard line rate be reviewed annually. The uniform type face and point size also eliminates the necessity to apply for approval through DOA, which could result in cost-savings for local governments. The bill would also require that any newspaper that publishes legal notices will also be required to place the notice on a statewide website. There would be no additional charge to place the notice on a website. Finally, the certification and adjusted rate calculation for publishing legal notices would be done annually instead of every two years, eliminating confusion for newspapers and DOA staff.

The proposed changes outlined in Assembly Bill 548 simplify Chapter 985 and the existing DOA newspaper legal notice publication certification process as well as the process of placing legal notices in the newspaper by local governments.

This is a common sense piece of legislation that would encourage efficiency in the DOA, local governments, and newspapers without sacrificing community notification and awareness.

Thank you.



WISCONSIN NEWSPAPER ASSOCIATION

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Assembly Bill 548:

Amendments to Chapter 985: Publication of Legal Notices; Public Newspapers; Fees

The proposed amendments to Chapter 985 are intended to simplify the existing DOA newspaper legal notice publication certification process, as well as, the process of placing legal notices by units of local government.

The bill would also require that any newspaper eligible to publish legal notices also be required to place the notice on the statewide website established and maintained as a joint venture of the majority of Wisconsin newspapers as a repository for such notices.

The recommended changes to Chapter 985 are as follows:

- (1) Standardize the type face used by newspapers for the publication of all legal notices (all notices would be published in Arial 6 point, see supporting document);*
- (2) Remove the current minimum/maximum line rate language which would no longer be applicable due to the establishment of the standardized type face;*
- (3) Require that newspapers be certified and the rates paid to newspapers for publishing legal notices be re-adjusted annually instead of every two years.*

Explanation

Point One: Chapter 985.08 (2)(a) currently requires all legal notices to be published in 6-point Spartan lightface. The section also allows for the use of alternative type faces subject to approval by the DOA. This exception has resulted in newspapers applying, on an as needed basis, for DOA approval for the use of multiple type faces.

In most instances, the legal notices containing alternative type faces (*non Spartan lightface*) are submitted to the newspaper by the unit of government. The newspaper reproduces the legal notice in the type face submitted by the unit of government. The newspaper must request certification from DOA for use of the alternative type face submitted by the unit of government.

The establishment of a standardized type face will eliminate the need for the DOA certification of multiple type faces; and in many instances will result in a cost savings to units of government.

Point Two: The establishment of a uniform type face and point size eliminates the need for the existing minimum and maximum line rate language.

Point Three: The DOA newspaper certification and adjusted rate calculation for publishing legal notices is currently done every two years.

The DOA request for paid circulation verification is currently done on an annual basis.

The proposed change to combine the certification/verification, to be done annually, by newspapers will eliminate existing confusion on the part of the newspaper and create efficiencies for DOA staff.